



National Hispanic Leadership Agenda

MEMBER ORGANIZATIONS

- Alianza Americas
- American G.I. Forum
- ASPIRA Association
- Avance Inc.
- Casa de Esperanza: National Latin@ Network
- Congressional Hispanic Caucus Institute
- Farmworker Justice
- Green Latinos
- Hispanic Association of Colleges & Universities
- Hispanic Federation
- Hispanic National Bar Association
- Hispanics in Philanthropy
- Inter-University Program for Latino Research
- Labor Council for Latin American Advancement
- LatinoJustice PRLDEF
- League of United Latin American Citizens
- MANA, A National Latina Organization
- Mexican American Legal Defense and Educational Fund
- Mi Familia Vota
- NALEO Education Fund
- National Association of Hispanic Federal Executives
- National Association of Hispanic Publications
- National Association of Latino Arts and Culture
- National Association of Latino Independent Producers
- National Conference of Puerto Rican Women, Inc.
- National Day Laborer Organizing Network
- National Hispana Leadership Institute
- National Hispanic Caucus of State Legislators
- National Hispanic Council on Aging
- National Hispanic Environmental Council
- National Hispanic Foundation for the Arts
- National Hispanic Media Coalition
- National Hispanic Medical Association
- National Institute for Latino Policy
- National Latina Institute for Reproductive Health
- National Latina/o Psychological Association
- Presente.org
- SER Jobs for Progress National
- Southwest Voter Registration Education Project
- U.S.- Mexico Foundation
- UnidosUS
- United States Hispanic Chamber of Commerce
- United States Hispanic Leadership Institute
- United States-Mexico Chamber of Commerce
- Voto Latino

November 26, 2018

United States Senate
Washington, DC 20515

RE: Latino Federal Circuit Court Judges

Dear Senator:

I write on behalf of the National Hispanic Leadership Agenda (NHLA), a coalition of 45 leading national Latino nonpartisan civil rights and advocacy organizations. **NHLA strongly urges you to oppose confirmation of any and all circuit court nominees until a well-qualified Latino has been nominated and confirmed to a federal circuit court.**

On June 2, 2016, then-candidate Donald Trump told the Wall Street Journal that Judge Gonzalo Curiel had "an absolute conflict" in presiding over Trump University litigation, because of his "Mexican heritage." At the time, there was harsh bipartisan criticism of the comment, calling it, among other things, "the textbook definition of a racist comment."

Two years later, we see Trump's statement enacted into policy. Since President Ronald Reagan, every president of either party has nominated and confirmed at least one Latino judge to a federal circuit court judgeship, until Donald Trump. Trump has had the opportunity to nominate 42 judges to federal circuit courts, but has chosen to nominate no Latinos at all. This has led to a significant decline in Latino representation in federal circuit court judgeships. For example, the Fifth Circuit whose population is 32% Latino, has gone from three active Latino judges in 2012, to zero active Latino judges in 2018. The Latino community sees a clear connection between Trump's racist comments against a Latino judge in June 2016, and his unwillingness to nominate a single Latino circuit court nominee; Trump apparently does not trust Latinos with positions of power in the federal judiciary.

However, the decision to fill circuit court vacancies is not Trump's alone. The Constitution requires that the President appoint federal judges with the advice and consent of the Senate. The NHLA board calls on all Senators to stand together with the Latino community in a bipartisan rebuke of Trump's bias against the Latino community and against Latino judges and lawyers. The NHLA board voted unanimously to oppose ALL circuit court nominees nationwide until a well-qualified Latino has been appointed and confirmed to a position on a federal circuit court.

Again, NHLA urges you to vote "no" on every circuit court nominee until a well-qualified Latino is confirmed to sit on a federal circuit court. NHLA will closely monitor ALL votes on ALL nominees to federal circuit courts from today until the date a well-qualified Latino is confirmed to sit on a federal circuit court, for inclusion in future NHLA scorecards evaluating Senators' support for the Latino community.

Sincerely,

Thomas A. Saenz
Chair, National Hispanic Leadership Agenda
President and General Counsel, MALDEF